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THE EVENING BULLETIN

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FRIDAY, JUNE 8, 1855.

USE OF STATE PRISONS BY THE UNITED STATES.—The Government of the Union is separate from and independent of that of each and every State Government. It probably follows from this arrangement that, in the performance of its duties and the exercise of its powers, the Government of the United States is strictly bound to provide all the appropriate and necessary agencies for the enforcement of the laws which Congress may be compelled to enact. This may be strictly true in theory, and indeed in the case of Prigg vs the State of Pennsylvania the Supreme Court of the United States so ruled. But although the States have the right to exclude the officers of the United States from the use of their court-houses, jails, and other prisons, yet it has not been done except recently in the cases arising out of the fugitive slave laws, and even in those cases it has been done only by a few States. There is such a manifest economy and propriety in the States' permitting the use of their prisons and thus facilitating the administration of justice by the General Government, that, at a very early day after the adoption of the Federal Constitution, most of the States passed laws giving to the United States the use of their prisons.

Thus, as early as the year 1790, the Legislature of Massachusetts provided by law that "the keepers of the several jails of the Commonwealth shall, under the like penalties as by law are provided for the custody and safe-keeping of the prisoners thereof, take custody of, and safely keep, all prisoners committed under the authority of the United States, until they shall be discharged by due course of the laws thereof." Such moneys as were paid for meeting the charges of such custody were made payable to the county treasurers for the use of their respective counties. This law, so obviously proper and advantageous to the State and to the United States has been substantially in force to the present time. But in the States of Massachusetts, Connecticut, and Michigan the use of the State prisons has been by recent enactments forbid to the United States authorities, in enforcing the provisions of the fugitive slave law. There is no inhibition in these State laws against the use of the prisons in the cases of mail robberies, piracies, or other crimes committed in violation of the U. S. laws. The conduct of these States in thus excluding the U. S. Government from the use of their prisons in the case of fugitive slaves alone is, as it was doubtless designed to be, very offensive and insulting to the people of the South, and will unquestionably lead to retaliatory legislation on the part of the Southern States. It will not excuse those States from blame, to say that they have the legal right to deny the use of their prisons or their courts to the United States; for the manner in which they have used the power shows that it was against slavery and slave property that the laws were directed, and not against the United States. No good, but much harm, will be the result of a continuance of such legislation, and we hope to see the obnoxious acts repealed and the practice of passing such laws abandoned.

WATER WORKS AT DETROIT.—We have on our table the Report of the Water Commissioners to the Common Council of the city of Detroit for the year ending December 31, 1854. From this report we gather that there has been expended on the works up to the first of the year \$495,463; 181 fire-plugs have been set up and connected with the pipes, and 13½ miles of iron pipes have been laid, and during the year there has been distributed 314,392,655 imperial gallons of water, which is an increase over that of the previous year of about 20 per cent. The quantity of water per day to each inhabitant was 21½ gallons, and the quantity of wood consumed in the year was 1,122 cords, costing \$2,129. The superintendent estimates twelve bushels of coal as equal to one cord of such wood as he used.

The superintendent was sent to visit and inspect the water-works of the different cities, and we give from his report the cost of these works as he states them:

Cincinnati	\$1,000,000
Pittsburgh	700,000
Allegheny City	331,442
Buffalo (over)	400,000
Albany	800,000
New York city	14,000,000
Philadelphia	3,247,894
Boston	5,370,818
Chicago (unfinished)	400,000

The New Orleans papers of the 1st are in ecstasies about the weather. They have had heavy rains and thunder and lightning. The Bulletin is confident that under its influence the cholera will soon disappear.

The Kentucky and Rescue fire companies had their engines out yesterday. The both threw very high, the Rescue coming off victorious.

PROHIBITORY LIQUOR LAW IN NEW YORK.

The press and the people of the city of New York are having a nice and exciting time about the liquor law that will soon go into effect there. The press stood by quite quietly, and permitted the Maine law to pass the Legislature without opposition. They were each and all afraid to attack it lest it might lose them some patronage. But now, when the law is about going into effect, quite a number of the metropolitan press are violent in their opposition to it. The Tribune preserves its consistency and favors the execution of the law as it advocated its passage.

If the law can be executed in New York it can be anywhere, for there it will have to encounter the opposition of a greater cumulative power of combined talent, shrewd cupidity, and money influence than it will have to meet in any other city of the United States. A large sum of money has been already raised to fee able lawyers, with a view of testing the constitutionality of the law, and still greater sums will be forthcoming if required. Opinions, both adverse and favorable to the law, have been obtained from eminent lawyers and presiding judges; and, if these latter gentlemen continue the practice of deciding on the law before a case arises under it, when such a case shall occur, there will be no judges left uncommitted before whom an impartial trial can be had. We hold the practice of judges' giving in advance their construction of laws, to be highly improper and worthy of general condemnation.

The latest one of these extra official opinions is that of Judge Edmonds, the spiritualist, who has given an opinion affirming the constitutionality of the New York liquor law. The Mirror, a paper that is ferociously opposed to the grog-stopping law, notices Judge Edmonds and his opinion thus:

Judge Edmonds, from the spiritual world, "follows suit." He, too, has an opinion on the new liquor law, and his opinion has this advantage over all its predecessors—it is the longest. The learned judge approves of the law in all its details; it is a perfect statute; it lacks nothing; and the exceptional clause of the first section covers its own ground and no more. Imported liquors are lawful merchandise while in the hands of the importer, and in their original packages, but no longer.

The professional reasoning of Judge Edmonds and others on this point is exquisite. It would not be competent for the Legislature to prohibit the importer from selling his merchandise, because such prohibition would prevent importation, and that would interfere with the receipts of the Treasury for duties. But the same Legislature may impose its prohibition on the sale of the same merchandise the moment it has left the hands of the importer. In our simple judgment, a man need not be a lawyer nor a judge nor a "medium" from the land of spirits to perceive the absurdity of this position, for it is obvious to plain common sense that if the parties who would purchase from the importer are prohibited from selling the commodity so to be purchased they must decline to purchase. In other words, to prohibit the purchaser from selling is to prevent the importer from selling, for the importer's customers are themselves sellers.

GENERAL COUNCIL.—In the Board of Aldermen last night a resolution was adopted receiving the fire engine. It was referred in the Common Council to the committee on the fire department.

The Board of Aldermen slightly amended the resolution from the other board appropriating \$2,000 for a clock on the Walnut Street Baptist Church, and then passed it—5 to 3.

In the Common Council the resolution from the Aldermen directing the Treasurer to call on J. S. Speed to return \$1,000 illegally drawn by him as secret service fund, was concurred in and adopted.

The resolution from the Aldermen accepting the proposition of Smith, Seckel, & Co. to clean the streets for \$15,000, they paying the salaries of the inspectors, was reported by the committee.

Mr. Beatty offered a substitute, directing the mayor to advertise for proposals for cleaning the streets, which was adopted.

The report of the committee on endorsing the bonds of the Big Sandy Railroad was read and referred back to the committee. The report proposes that the city endorse bonds to the amount of \$200,000 as soon as the road is completed to Mt. Sterling; provided the road will have the same gauge as that from this city to Lexington.

The southern ditch was under discussion when we left the hall, 11:45 P. M.

Various amounts were allowed and numerous street improvements were ordered in both boards.

The council resolved to meet in joint session at 9 o'clock on Thursday evening next.

STEAM FIRE ENGINE DELUGE.—This machine was submitted to another trial yesterday. It performed to the satisfaction of everybody. Steam was raised in seven minutes from the time it arrived on the ground. In forty-seven minutes it pumped 676 barrels of water (30 gallons per barrel) out of the cistern at the intersection on Jefferson and Ninth streets. This is equal to 827 barrels or 24,810 gallons per hour, and the city engineer is of opinion that it can pump 900 barrels per hour.

It was afterwards taken to a cistern on Main street and threw a horizontal stream of 204 feet 4 inches from 1½ inch nozzle. The average weight of steam was 50 lbs.

The machinery worked finely, and it was drawn by the horses with great ease.

S. F. Wilson, Esq., has become a partner in the New Orleans Picayune.

Mr. John H. Clark has associated with himself Mr. Joel Miller in the publication of the Hopkinsville Press.

Here is a sweet dream of heaven from one whose every dream is heavenly:

[For the Louisville Bulletin.]

A DREAM.

I've had a happy dream, Sallie,
A sweet and happy dream,
'Twas brighter than the dawn's first smile
Or sunlight on the stream;
My spirit trembles yet with joy,
Although the dream has fled,
And heavenly beauty seems to be
About my pathway shed.

Methought a radiant messenger
From Eden's bowers had come,
To break this casket's trembling bands
And bear the jewel home—
And when to free the fettered bird
The prison bars he drew,
The severing of fond earth-ties was
The only pain I knew.

Awhile on trembling, gladsome wing
My happy spirit hung
Above the pallid tombment
To which it late had clung:
I saw thee bending o'er my brow,
Thy heart with anguish riven,
And longed to clasp thee in my arms,
And bear thee off to heaven.

Away on pinion light and free
My angel sped his way,
Up to the clime of endless light—
Of bright, unclouded day—
Away, away, on tireless wing
Until there gleamed afar
But midway in our shining path
Our own loved evening star.

We paused awhile, for still we loved
Its gentle, radiant light,
And plumed our wings in ecstasy
Amid its bowers so bright—
We knew no lapse of time, but when
I gazed on earth, once dear,
Another angel's beaming form
On rapid wing drew near.

I looked with wonder and delight
Upon the stranger fair,
Whose graceful pinion seemed to float
In its own native air:
"So sweet a spirit is released
From realms of bliss divine,"
My angel said as it drew near—
And, dear one, it was thine.

What rapture, oh what rapture then
To have thee with me there!
We spread our wings and took our flight
Up through the ambient air:
We loved our angel, him whose wing
To guide us had been given,
And joyous did his errand seem
To lead the way to heaven.

On, on through cloudless realms of space
We floated high and free,
While music, from the rolling spheres,
Filled the immensity—
On, on, till gleaming on our sight
Appeared a dazzling one,
The fairest of the Pleiad train,
Resplendent Aileen.

Circling around their sister fair
On rapid wheels of time,
Those guardian planets joyously
Kept up their march sublime;
Celestial music floated round
And heavenly odors filled
The balmy air, while love divine
Our raptures spirit thrilled.

This was our home—our angel guide
Folded his glittering wing,
He gave us jeweled harps of gold
And bade us touch and sing:
While floating round, in holy joy,
Mother and sister dear,
Those we had loved so much on earth,
To welcome us drew near.

Bliss, rapturous bliss, our Heaven was gained,
Our Father's home was ours,
'Twas ours to rove by waters bright
And pluck unending flowers;
With trembling hands we tuned our harps
And rapturous sweetness broke
From every string, and with the thrill
Of music I awoke.

ROSINE.

KENTUCKY MECHANICS' INSTITUTE.—We observe from the circulars just issued that the coming exhibition will be opened on September 25th. Already active preparations are being made for it, and we learn from the exhibition committee that the spirit already manifested by our mechanics and manufacturers indicate that the exhibition this fall will far exceed any previous one. At no time since the organization of the Institute have all classes of mechanics shown so much interest in its success. The great advantages to all manufacturing interests arising from such exhibitions are beginning to be properly appreciated. As an advertising medium they cannot be excelled, and for the purpose of promoting the manufactures of our city and State and showing to the world what we are doing and can do, we believe it the duty of every mechanic and manufacturer, large or small, to be represented at the coming exhibition of the Mechanics' Institute.

That it will be eminently successful we are certain and have only to point to its past achievements to convince any one that its course is onward. Its exhibitions have been of a very high character, and its library has more than ten times as many readers as any library has ever had in this city before. Among these are about one hundred and seventy-three minors and about fifty lady subscribers.

In connection with this we call attention to the card of the actuary in another column. The advantages it presents for a few dollars are a hundred-fold the sum.

The heavy rains for the last two days have already caused a rise in the river above the falls of over two feet. Last evening there were large 6 feet water in the canal. Beargrass creek was pouring out at a tremendous rate.

The rise set the steamer Eclipse afloat early yesterday morning, and she left for New Orleans last evening.

The Cumberland river was rising on Tuesday evening with two feet water on Harpeth shoals. The Alabama and Warrior rivers were rising fast.

It will be seen from our dispatch that the river was rising rapidly last evening at Pittsburgh.

MARRIED.

In this city, at the residence of the Hon. Wm. F. Thompson, on the 7th inst., by the Rev. W. W. Hill, Capt. JAMES M. LOVE, of Iowa, to MISS MARY F. THOMAS.

EXTRA ST. LOUIS FLOUR—75 bbls choice St. Louis flour by Flour just received and for sale by H. FERGUSON & SON.

THE MAYORALTY.—It will be seen from our report of the court of appeals that the mayoralty case was argued yesterday. We understand that Mr. Logan argued the case yesterday for Mr. Barbee, and was followed by Mr. Ballard for Mr. Speed. Mr. Ripley, for Mr. Barbee, is to conclude to-day. It is expected that the court will give its decision to-morrow.

ARRESTS.—Marshal Kidd arrested a man at Owen's Hotel yesterday who registered himself "J. H. Marsh, New Orleans." He is charged with having committed a very large robbery in New Orleans.

A German woman was also arrested charged with stealing a dress.

NEWS ITEMS.

A marriage in high life took place in Washington on Monday afternoon, in St. Matthews Catholic Church. Mr. G. De Boilleau, Secretary to the French Legation, led to the altar, Miss Susan, youngest daughter of Col. Thos. H. Benton, of Missouri. A splendid entertainment was given the bridal party at the residence of Col. J. C. Freemont.

The appointments by the President of Buckingham Smith, of Florida, secretary of legation at Madrid, in the place of Horatio J. Perry, recalled, and John B. Blake, commissioner of public buildings, in the place of B. B. French, resigned, are officially announced. Mr. Perry's recall was brought about by his letter, which was published in the National Intelligencer.

The store of John Byles in New York was robbed of \$3,000 worth of silk goods on Saturday night last.

Dreadful Accident.—About daybreak yesterday morning a dreadful accident occurred at the Short Line railway tunnel, which resulted in the instant death of five men, and a sixth person was very seriously injured. A portion of the timbers forming the arch and supporting the ceiling gave way, burying the six persons. The five who were instantly killed are named James Pierce (foreman of the gang), Dennis Drynan, John Collins, Philip Devire, and Patrick Hagerty. The name of the person who is injured so badly that he is not expected to live, is James Coleman. Those who were killed presented a frightful appearance. They were mangled, crushed, and torn literally to pieces. The men who were killed, with one exception, were single, and had no relations in this country. Cin. Enx.

The case of James Brown indicted for attempting to pass a \$10 counterfeit bill, on the toll receiver, at the river bridge, came up yesterday morning. An application for a change of venue was made but refused by the court. The jury were empaneled, and the trial proceeded. The \$10 bill which is alleged the defendant attempted to pass, was offered in evidence, when it was discovered by the defense, that the description of bill as given in the indictment was incorrect, and further proceedings were stayed, and the defendant remanded to jail. The omission was simply this. A counterfeit stamp of Hutchings & Co.'s banking and exchange office at Louisville was stamped on the bill, and in the description the & between banking and exchange was omitted which vitiated the indictment. Another will be found at the next sitting of the grand jury. Brown is a very fortunate rogue. He was sent to the penitentiary by our common pleas court for some criminal offense, but he was soon after brought back for a new trial, by a decision of the Supreme Court against the jurisdiction of the common pleas in criminal cases. Before the sitting of the circuit court the prosecuting witness died, and Brown was released. He enjoyed his liberty, for about ten days when he was again arrested on the charge for which he is now to answer.—Lafayette (Ind.) Jour., June 5.

[From this morning's Journal.]

FURTHER FROM CALIFORNIA.

It is reported that a duel was fought between two generals in this city, Leavenworth and Breckinridge, resulting in the death of the former. The latter was severely wounded. It is stated that Leavenworth was the challenger, owing to offensive remarks by Breckinridge at the Shakespeare Club.

Gov. Bigler was honored with a public reception on the 15th in San Francisco. The military and some 2,000 private citizens were in the procession.

Gallego flour, in jobbing lots, sold at \$13. Ananias candles 24. Wheat \$1 50a\$1 75.—Turpentine 70. N. O. sugar 9½. Hams 14½.—Cheese 4.

The advices from the Sandwich Islands report that the British frigates President and Elceste, the sloop Dido, and steamer Brisk, all left for the North. It is supposed that they left for Petropopolovski.

CONCORD, N. H., June 6.

Both branches of the Legislature organized this forenoon.

The Senate elected the Hon. W. Haller, of Hinadale, American (Whig), President. Only one vote in opposition.

The House elected John J. Prentiss, American (Whig), Speaker, by 218 against 86 for all others.

NEW YORK, June 6.

The Kinney case came up in the District Court this morning. It was moved to quash the indictment owing to a technical defect. The motion was denied.

BOSTON, June 6.

The America sailed to-day with 200 passengers and \$1,012,500 in specie.

The mail train from New York last night discovered obstructions on the track near Worcester—the rails piled up and six stones underneath. A frightful collision occurred and the whole train was thrown from the track into a ditch. The baggage car was broken in pieces and six persons who were in it badly but not fatally injured. The foremost passenger car was broken, also the trucks of the passenger cars. The passengers escaped without serious injury. All arrived here this morning.

It is supposed that the attempt to destroy the passengers was made by robbers, who hoped that during the confusion they would be able to rob the train of a large amount of specie in charge of Adams & Co. for the banks in this city. An engine waiting at Worcester was tampered with in order to prevent aid being sent.

The specie was much scattered, but was recovered. The amount was probably upwards of half a million.

AMERICAN STATE CONVENTION OF OHIO.—This convention met at Cleveland on Tuesday last, and adopted the following series of resolutions:

Resolved, That the principles of the patriots of the American Revolution are our principles—and that we reiterate the sublime truths contained in the Declaration of American Independence, and proclaim to the world our determination to maintain those principles, as did our fathers, with "our lives, our fortunes, and our sacred honors."

Resolved, That the Union of the States—the glorious result of patriotic counsels, wise considerations, sagacious forethought, prudent judgment—the ark of our political safety—the essence of our being, and the creator and preserver of our national importance, is dear to every American heart, and we regard its maintenance as paramount to all other considerations.

Resolved, That the constitution under which we live, the result of joint resolutions, joint labors, joint counsels, and joint sacrifices—created in a spirit of compromise and harmony, receiving at its adoption, and requiring mutual concessions and support from all sections of the country, is entitled to and should have the countenance and faithful adherence to its provisions of all the people of this confederacy; to it we adhere, and we yield our obedience to its provisions and to all laws enacted in accordance with its spirit and intent.

Resolved, That with the domestic institutions of the several States of the Union, we claim to have no right to meddle. Weavever is peculiar to the people of each State now in existence, is of their own creation and subject to their own immediate control; and while we deprecate the existence of human bondage in any portion of this confederacy, as a national party we leave it as we find it, under its own local restrictions, to be regulated by the enactments of those responsible for its continuance; but while disavowing thus explicitly any and all intention of interfering with it as it is, we must in duty to our sense of right, to our consciences, and to our country, declare and demand that the general government has the power and the right to exclude slavery outside of the State limits, and the spirit of the constitution, which is that of freedom, shall be regarded, and the influence thereof shall be so used that there shall henceforth and forever be no more slave territory and no more slave States.

Resolved, That while we disclaim any desire to interfere with slavery where it exists, we at the same time avow our determination to prevent by all lawful means the future interference of slavery with free territory or the rights of freemen, in a recurrence of the outrageous assaults recently committed in Kansas by armed hordes of Missourians, who, by their dastardly conduct, have earned the contempt of all honorable men.

Resolved, That the grand object and chief aim of this organization is to build up a thorough and complete American sentiment—to secure such a representation of American feelings in the government as shall cause the interests of Americans to be properly respected and cared for—shall insure us respect at home and abroad—foster Americans in every laudable enterprise and work—give protection and encouragement to American artisans in all their efforts at improvement—serve to develop the resources of our country—improve its rivers, harbors, and highways—promote intercourse between different sections of the country—and in every honorable way devote itself to the removing of all obstacles to our advancement, and to the general improvement of the American country and the American people.

Resolved, That we will act in fellowship with all such emigrants and all others as shall believe in American principles, and by a period of study and residence among us, have possessed themselves of an American education—become thoroughly indoctrinated with American views—understanding the true spirit and genius of our constitution and institutions, and by renouncing all allegiance to any foreign Prince, Potentate, State, or Sovereignty whatever, and particularly to the Pope of Rome and the "Infallible Church"—by their life and works show themselves worthy of the title of American citizens.

Resolved, That we are opposed to all ecclesiastical influence in whatever form and under whatever names when brought to bear against republican principles and republican institutions.

Resolved, That we are opposed to the interference of other nations in American affairs—that we will not countenance political Romanism in any form, or the attempt of any sect, denomination, or church, to obtain control of the government. While recognizing all religious toleration as a fundamental principle in our government and acknowledging the right of all individuals to worship God according to the dictates of conscience, and pledging our efforts to secure to all the peaceful enjoyment of their religious opinions, we must avow our opposition to all efforts at union of Church and State, or attempts to control our political affairs.

Resolved, That the general government should provide against the landing of foreign paupers and felons upon our shores, and should provide for the general defence and promote the public welfare.

Resolved, That we are opposed to all organizations composed exclusively of foreigners, particularly of foreign military companies, having control of arms and munitions of war.

Resolved, That the civil, religious, and political privileges the Americans concede to others should by others be conceded to Americans—that no commercial or diplomatic intercourse should be maintained with foreign governments that prohibit freedom of speech and freedom of religious opinion.

Resolved, That the precepts of Washington furnish the safest and wisest guide in our foreign policy, and the principles set forth in his Farewell Address should be carried out in the management of our public affairs.

Resolved, That upon the intelligence, virtue, and morality of the people must depend the preservation of our liberties; and every influence should be brought to bear to create a thorough American education of the masses, and, in the language of Andrew Jackson, cause them to "become Americanized."

DECISIONS OF THE COURT OF APPEALS.
Reported for the Louisville Journal by James Monroe, Esq., Attorney-at-Law, Frankfort, Ky.

THURSDAY, June 7.

CASES DECIDED.
Commonwealth vs. Shepherd, Carter, affirmed.
Harris vs. Turner, McCracken, affirmed.
Force vs. Parrish, Shelby, affirmed.
Lester vs. Woolfolk, Shelby, affirmed.
Shelton vs. Harlow, Henry, affirmed.
ORDERS.
Rouse vs. Coleman, Henderson; appeal dismissed.
McClintock vs. Fitzgerald, Mason;
Wood vs. Ladd, Mason;
Kirk vs. Proctor, Mason;
Davis vs. Lancaster, Mason;
East Mayville vs. Ballenger, Mason;
Richardson vs. Walker, Mason;
Barbee vs. Speed, Jefferson; argued.

PERA GLASSES.—A few more left at low prices.
MILLER & GOULD, 93 Fourth st.

Godey do.
Putnam do.
Leslie's Gazette of Fashions.
New York Journal.

